The Signalman's Journal

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Volume 77, Number 3

June 1996

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NOVEMBER / DECEMBER 1995

APPAREL & ACCESSORIES

ACME BOOT COMPANY
Western-style boots: Acme, Dan Post, Dingo brands ▶ *Steelworkers*

DECKERS CORPORATION
Sandals: Deckers, Sensi, and Teva brands ▶ *Machinists*

F. L. THORPE & CO.
"Original Black Hills Gold Jewelry" ▶ *Steelworkers*

HOWE K. SIPES CO.
Athletic apparel (chiefly baseball and softball uniforms, satin and wool jackets). Label: Howe Athletic Apparel ▶ *Electronic Workers*

BUILDING MATERIALS & TOOLS

ACE DRILL CORP.
Wire, jobber & letter drills, routers and steel bars ▶ *Auto Workers*

BROWN & SHARPE MFG. CO.
Measuring, cutting and machine tools and pumps ▶ *Machinists*

LOUISIANA-PACIFIC CORP.
Brand name wood products: L-P Wolmanized, Cedartone, Waferwood, Fiberpine, Oro-Bond, Redex, Sidex, Ketchikan, Pabco, Xonolite ▶ *Carpenters and Woodworkers (IAM)*

ROME CABLE CORP.
Cables used in construction and mining ▶ *Machinists*

SOUTHWIRE CO.
Commercial and industrial wire and cable; Do-It-Yourself brand homewire ▶ *Electrical Workers*

APPLIANCES & FURNITURE

SILO, INC.
Retailers of appliances and electronics ▶ *Teamsters*

TELESCOPE CASUAL FURNITURE CO.
Lawn, patio, other casual furniture. Brand name: Telescope ▶ *Electronic Workers*

FOOD & BEVERAGES

BRUCE CHURCH, INC.
Iceberg lettuce: Red Coach, Friendly, Green Valley Farms, and Lucky labels ▶ *Farm Workers*

CALIFORNIA TABLE GRAPES
Table grapes that do not bear the UFW label on their carton or crate ▶ *Farm Workers*

COOK FAMILY FOODS, LTD.
Hams and ham steaks: Cook's, Blue Bird, Fire Side, Lancaster, Nottingham, Shaws, Sherwood, Super Tru, TV's labels ▶ *Service Employees*

DIAMOND WALNUT CO.
Diamond brand canned and bagged walnuts and walnut pieces ▶ *Teamsters*

MOHAWK LIQUEUR CORP.
Mohawk label gin, rum, peppermint schnapps, and cordials ▶ *Distillery, Wine & Allied Workers*

TYSON/HOLLY FARMS CHICKEN
Chicken and processed poultry products ▶ *Teamsters*

TRANSPORTATION & TRAVEL

ALITALIA AIRLINES
Air transport for passengers and freight ▶ *Machinists*

BRIDGESTONE/FIRESTONE, INC.
Tires. Brands include: Bridgestone, Firestone, Dayton, Triumph, Road King, Roadhandler ▶ *Steelworkers*

GO-MART GAS
Gasoline sold at Go-Mart convenience stores and truck stops ▶ *Oil, Chemical & Atomic Workers*

KAWASAKI ROLLING STOCK, U.S.A.
Railroad cars ▶ *Transport Workers*

MICHELIN
Michelin brand tires ▶ *Steelworkers*

MISCELLANEOUS

BELL ATLANTIC/NYNEX MOBILE SYSTEMS
Cellco cellular phone system ▶ *Communications Workers and Electrical Workers*

BLACK ENTERTAINMENT TELEVISION
BET cable television, Action pay-per-view, Bet on Jazz ▶ *Electrical Workers*

R. J. REYNOLDS TOBACCO CO.
Cigarettes: Camel, Winston, Salem, Doral, Vantage, More, Now, Real, Bright, Century, Sterling, YSL/Ritz; Tobacco: Prince Albert, George Washington, Carter Hall, Apple, Madeira Mixture, Royal Comfort; Little Cigars: Winchester ▶ *Bakery, Confectionery & Tobacco Workers*

UNION LABEL AND SERVICE TRADES DEPARTMENT, AFL-CIO

The Signalman's Journal

Official Publication of the Brotherhood of Railroad Signalmen

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Cover: BRS President Dan Pickett congratulates President Bill Clinton in Washington, D.C. following the AFL-CIO endorsement of the Clinton/Gore ticket for re-election.

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Letters To The Editor

Dear Editor:

Growing up in a rural area, some technology was slow to arrive. Electricity, cable television, even touch-tone phones could be used as examples.

Well, once again progress is slow in our managed health care. After signing the 1991 contract we were promised a choice of an "H.M.O." or taking a substantial cut in benefits from Travelers (MetraHealth) insurance. This I believe was agreed upon and signed by the carriers and BRS. This change was supposed to be implemented in a timely fashion, but has not!

We are now taking a reduction of benefits from MetraHealth but have not been offered any alternative plan.

The time has come to put this agreed-to benefit to reality. I urge all members to attend your local meetings and demand action to this cause!

Sincerely,
Tobin Jameson
Local 39

Dear Editor:

An Open Letter to Every Railroad Union Brother and Sister:

I wish to address you on a matter of concern to myself and others. That is: Our membership in the BMWE, along with every railroad union, continues to decline. The railroads continue to run over us every time our contracts come up for bargaining – some more than others. Our voice in Congress has become a whisper, our work rules continue to be weakened and our buying power continues to decline. All this while the railroads continue to make record profits. It's time we put a halt to this and we can put a halt to it by every brother and sister banding together into one union, speaking with one voice to the railroads and Congress.

True, their are many obstacles to overcome. Every craft has its peculiar work conditions that apply to only their craft. Their is loyalty and pride in every union and a merger of unions will mean only one President, one Secretary-Treasurer, fewer people at the top. I don't pretend to have all the answers, I'm not even sure where to begin, but I do know that with one union representing rail labor, management will be forced to deal with everyone at once. Congress will have to listen to one union representing the entire rail industry.

It's time we quit thinking as individual unions and start thinking as one railroad union. It's time we put aside petty differences, work together as one, combine our resources and talents and once again become strong, a leader in labor. Railroads are constantly merging. Railroads become bigger and bigger, combining resources, talent and money to get their way. It's time we do the same.

I urge every brother and sister of every local in every union to join a grass roots effort to let our Local, General Committee, National, and International officers know it's time to make a commitment to become one united railroad union.

Think about it. ONE RAILROAD UNION REPRESENTING EVERY RAILROAD WORKER FROM THE PERSON WHO DRIVES THE ENGINE TO THE PERSON WHO DRIVES THE SPIKE. Rail labor will speak with one voice to the railroads and to Congress. Let's go into the 21st century united, working together in the field and at the bargaining table all of the time.

In Solidarity,
Jack M. Lieffort
BMWE Member

Letters appearing in this column do not necessarily represent official BRS position or policy. Parties wishing to write the Editor should address their letters to:

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Box U
Mt. Prospect, IL 60056

The Signalman's Journal reserves the right to edit letters for clarity, punctuation and length. All letters must be signed; however, names will be withheld from publication upon request.

Reaching an Agreement

PRESIDENT'S COLUMN

Three simple words which have a lot of impact. Reaching an agreement. After a long and laborious round of negotiations we have arrived at a point in time where each individual member will be given the opportunity to decide if this agreement is satisfactory to them.

The current round of national negotiations began in November 1994 when we served our Section 6 notices to the National Carriers' Conference Committee. After 19 months and over 35 face-to-face meetings with the NCCC, we have reached a tentative agreement. I am proud of our organization and our national negotiating team for the way they have handled this round of negotiations and for achieving this tentative agreement.

In the past few years I have had the opportunity to travel across the United States and attend Local and General Committee meetings. During the meetings I have had the privilege to talk to many of you about national negotiations and find out what was most important to you during this round of negotiations. Among the items that many of the members said were important were: more money with retroactive pay; increase the skill allowance and have all Signalmen receive it; increase Health & Welfare benefits with no additional costs; and implement a 401(k) plan.

The negotiating committee has achieved many of your requests, recognizing that some things were not exactly as you requested. However, we have secured an agreement which contains three 3.5 percent wage increases, two compensation allowances of 3 and 3.5 percent and a cost-of-living adjustment based on two measurement periods which will roll into the rate of pay at the end of the contract. The first wage increase will be effective December 1, 1995, resulting in back pay for each member for all hours from that date. Dental benefits have also increased and a first-time vision care program will be implemented. The skill allowance will increase to 85 cents and all positions of Signalmen and above will receive it. We were also able to secure employee protection for all members who attain ten years of service. A 401(k) plan will be implemented.

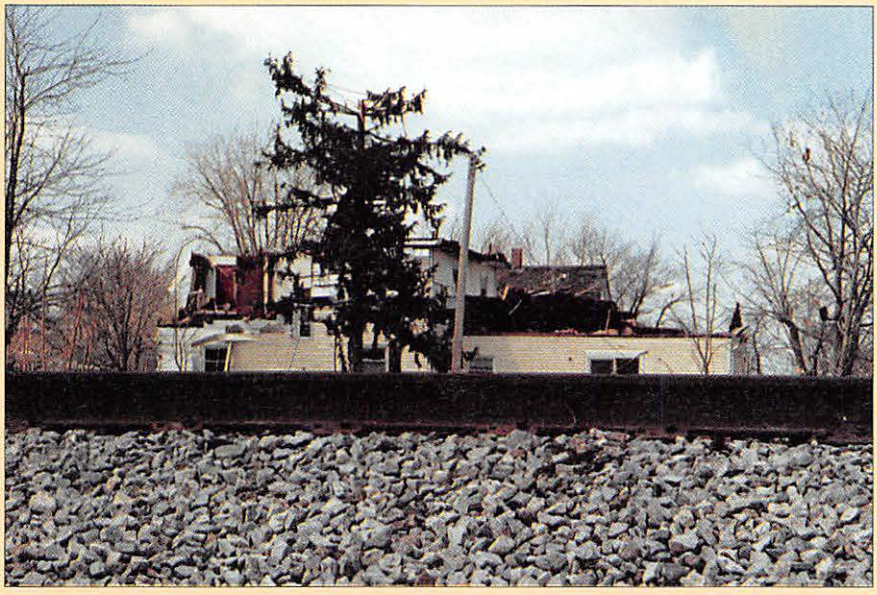
Probably some of the things that are not in this agreement are as important as the gains that we were able to secure. This agreement was made without **any** work rule changes. From day one, the Carriers wanted work rule changes that would result in either a loss of work or a loss of money to our members. Your negotiating committee was able to work out an agreement without sacrificing any of our hard fought work rules.

By making this agreement we were able to say what was in the agreement and what was not in the agreement. We were in control of our own destiny. By making an agreement that closely resembled the wants and needs of our membership, we have avoided having an unsatisfactory Presidential Emergency Board recommendation or, even worse, an agreement forced on us by a Congress that would legislate the recommendations of a Presidential Emergency Board.

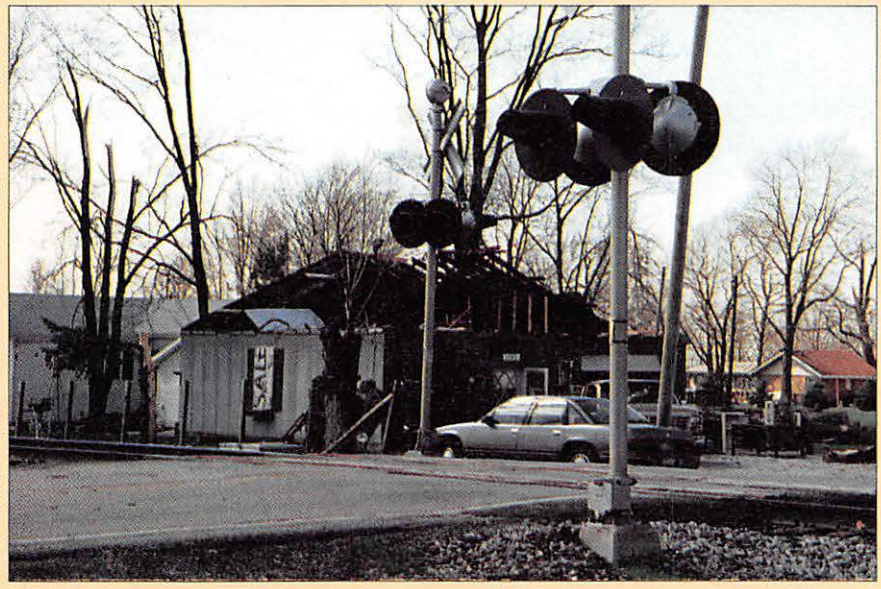
Throughout the history of the BRS we have strived to negotiate our agreements instead of a third party deciding for us or having agreements imposed on us. We successfully attained this goal as we made an agreement that closely resembled what the membership wanted. Now it is time for every member to become part of the process and vote during the ratification time period. Return your ballot either for or against the agreement. The ratification process works when you vote. There is a BRS agreement **only** when you, the membership, ratify what the negotiating committee has submitted to you.

W. Dan Pickett

1996 Photo Contest Entries



The three pictures on this page depict the damage and debris from a tornado which crossed the tracks of the Norfolk Southern as it went through the town of Harristown, Illinois. Miraculously, signal and crossing damage was minor, even though power was out for four days. Photo submitted by ***M.T. Griffin****, Local 55.*



A northbound Amtrak train approaches the Perryville, Maryland Interlocking as it goes over the Susquehanna River. Photo Submitted by ***W.R. Shultz,*** *Local 65.*

Photo Contest

On May 17, 1996, 6 to 9 inches of rain fell in several hours resulting in a track washout on the Northeastern Indiana Railway in Edon, Ohio . Photo submitted by ***V.O. Hukill Jr.****, Local 10.*

SPL Report:

Pro-Labor Politicians: Our Friends In Congress

1996 will prove to be an important year in the political arena. Two very important questions to ask a candidate are whether or not he/she supports a worker's right to belong to a union, and the ability to strike as a last resort.

Ask the person you will vote for, as well as yourself, does change mean, **No Union, No Job, No Social Security, and No Railroad Retirement,** or does change mean **increasing benefits and conditions for the working men and women in America**. Make sure you vote, but make sure not to vote for the wolf in sheep's clothing.

As part of an ongoing feature, we are showcasing three Congressmen for you in this issue of *The Signalman's Journal*. We hope that the information will be useful to you in determining who the best candidate is to receive your vote; also, so that you know which candidates share your ideas and goals.

Corrine Brown (D), 3rd District Florida

Congresswoman Corrine Brown represents the Third Congressional District of Florida and is a strong supporter of rail labor. Brown is very aware of rail issues because her brother works for CSX Transportation,.

In addition to supporting rail issues, Congresswoman Brown is an advocate for senior citizen rights, equal opportunity, affirmative action, economic development, quality education (pre-school through college) for all, and affordable housing.

Congresswoman Brown has also co-sponsored measures to reduce crime and has put more police on our streets. Representative Brown has successfully championed the cause of the under privileged and has fought successfully for funding for public housing and to bring private enterprise in disadvantaged areas. She also continues to work to get our homeless veterans off the streets and into jobs.

Representative Brown serves on the Transportation and Infrastructure Committee, where she is a member of the subcommittees on Surface Transportation and Public Buildings & Economic Development. Brown also is a member of the Committee on Veterans' Affairs, and serves on the subcommittee on Hospitals and Health Care.

As a vocal supporter of railroad issues, Representative Brown has gone on the floor of Congress to help pass legislation beneficial to rail labor.

Corrine Brown

Eddie Bernice Johnson (D), Texas 30th District

Congresswoman Eddie Bernice Johnson was elected to the U.S. House of Representatives in 1992 by winning 74 percent of the vote in the general election.

Johnson has been a long time supporter of rail labor. She has often spoken on the floor of Congress in favor of bills that benefit railroad employees.

In her second term in the U.S. House of Representatives, Congresswoman Johnson serves as a Democratic Deputy Whip for the Democratic Leadership. She is also on the Committee on Transportation and Infrastructure; Subcommittee on Surface Transportation and Subcommittee on Public Buildings and Economic Development, and the Committee on Science-Subcommittee on Technology and Subcommittee on the Environment.

Congresswoman Johnson co-sponsored a bill to ensure that highway, airport, inland waterway and harbor maintenance trust funds are used for their specified purposes, and a bill to improve rail transportation safety.

Representative Johnson was born in Waco, Texas and received a degree in nursing. Because of her nursing background, Congresswoman Johnson has sponsored bills to establish a schedule of preventive health care services and to provide for coverage of such services under private health insurance plans.

Eddie Bernice Johnson

Karen McCarthy (D), Missouri 5th District

Karen McCarthy, a freshman Congresswoman, is a supporter of rail labor who is not afraid to support workers' rights. During her first year, McCarthy has voted in favor of legislation that benefits labor, a rare practice for a first year Representative.

Among her Committee assignments are: Science Committee, Subcommittee on Technology, Subcommittee on Energy & Environment, Transportation and Infrastructure Committee, Subcommittee on Surface Transportation and the Subcommittee on Water Resources and Environment.

Congresswoman McCarthy has been known to speak her mind while working in Congress. During a recent hearing, McCarthy accused the Association of American Railroads of dragging their feet on the installation of signal systems that would prevent rail accidents such as the MARC Commuter train accident in Silver Springs, Maryland.

Before joining Congress, McCarthy served as a State Representative in the Missouri Legislature.

Karen McCarthy

REPORT ON CONGRESS

The following Report on Congress tabulates the votes on major issues of importance to workers in the first session of the 104th Congress. In the table on the page that follows, freshman Senate members have been rated R (right) and W (wrong) on the basis of their votes on these issues.

1. Unfunded Mandates/Labor Standards (S. 1) — During consideration of a Bill to ban all unfunded mandates, an amendment was offered to exempt from such bans labor standards as child labor and minimum wage laws. While the AFL-CIO opposed the entire bill because it is a smoke screen to attack or eliminate all federal regulations, the AFL-CIO supported the amendment as an attempt to make the bill less onerous to workers. It was tabled January 19 by a 53-44 vote. (DEM: 1-44; REP: 52-0)
Yes — Wrong No — Right

2. Balanced Budget/Social Security (H.J. Res. 1) — The AFL-CIO opposed a resolution calling for a constitutional amendment requiring a balanced federal budget because of massive cuts (about $1 trillion) in vital programs, the crippling of Congress' ability to fight recessions and inflation and its distortion of constitutional checks and balances. An amendment to exclude and protect Social Security from the amendment's scope, which the AFL-CIO supported, was tabled February 14 by a 57-41 vote. (DEM: 7-39; REP: 50-2)
Yes — Wrong No — Right

3. Balanced Budget/Final Passage (H.J. Res. 1) — The Senate defeated the balanced budget amendment March 2 by a 65-35 vote, one vote short of the required two-thirds majority. (DEM: 14-33; REP: 51-2)
Yes — Wrong No — Right

4. Striker Replacement Executive Order (H.R. 889) — During consideration of the Defense Department supplemental appropriation, an amendment was offered to bar the White House from using funds to implement its order barring the government from doing business with contractors who use permanent replacement workers. Backers of the order filibustered the amendment and an AFL-CIO-opposed motion to shut off debate failed March 15 by a 58-39 margin, two votes short of the required number. (DEM: 5-39; REP: 53-0)
Yes — Wrong No — Right

5. Budget Resolution/Medicare (S. Con. Res. 13) — The resolution would have slashed about $1 trillion in vital spending and forced working families to pay more for Medicare and higher education in order to pay for tax cuts for the wealthy. An amendment was offered to restore $100 billion of the $170 billion in tax cuts for Medicare and Medicaid. The amendment, backed by the AFL-CIO, failed on May 22 by a 46-52 vote. (DEM: 45-1; REP: 1-51)
Yes — Right No — Wrong

6. Budget Resolution/Final Passage (H. Con. Res. 67) — After inserting its version of Medicare cuts and tax breaks for the wealthy into the House measure, the Senate passed the budget resolution May 25 by a 57-42 vote. (DEM: 3-42; REP: 54-0)
Yes — Wrong No — Right

7. Regulatory Reform/OSHA (S. 343) — The AFL-CIO opposed a bill drafted under the guise of regulatory reform that threatened workplace health and safety and environmental standards. An amendment supported by the AFL-CIO would have protected OSHA and MSHA safety standards. That was tabled July 14 by a 58-39 vote. (DEM: 7-37; REP: 51-2)
Yes — Wrong No — Right

8. Regulatory Reform/Cloture (S. 343) — The entire bill, opposed by the AFL-CIO, would have decimated workplace health and safety, environmental and public health safeguards. Opponents staged a filibuster against the bill. Two earlier attempts to end the debate failed and on July 20 a

third attempt was defeated by a 58-40 vote. Sixty votes are required for cloture. (DEM: 4-40; REP: 54-0)
Yes — Wrong No — Right

9. Appropriations/Affirmative Action (H.R. 1854) — An amendment to the legislative appropriations bill would have overturned all federal affirmative action programs. Opposed by the AFL-CIO, the amendment failed July 20 by a 36-61 vote. (DEM: 3-42; REP: 33-19)
Yes — Wrong No — Right

10. Minimum Wage/Budget Reconciliation (S. 1357) — During Senate debate on the budget reconciliation, a motion was offered to suspend the rules to allow a vote on legislation to increase the minimum wage. The motion, backed by the AFL-CIO, failed by a 51-48 vote October 27, nine votes short of the number required to suspend the rule. (DEM: 46-0; REP: 5-48)
Yes — Right No — Wrong

11. Continuing Resolution/Final Passage (H.J. Res. 115) — During debate on a temporary spending bill required to keep the government funded and avoid a shutdown, Republicans attached a Medicare premium increase and several other provisions opposed by the AFL-CIO. The bill passed November 13 by a 50-46 vote. (DEM: 0-44; REP: 50-2)
Yes — Wrong No — Right

12. Budget Reconciliation/Conference Report (H.R. 2491) — This bill combines all the GOP entitlement spending cuts in Medicare, Medicaid, student loans, federal retiree pensions and more, with tax cuts aimed mostly to benefit big business and people making up to $200,000 a year. The Medicaid program would be cut by $170 billion and block-granted, which would hurt poor children and the elderly. It also would repeal standards for nursing homes. While some changes were made in the House-passed bill, the conference report maintained the major elements opposed by the AFL-CIO. It passed the Senate November 17 by a 52-47 vote. (DEM: 0-46; REP: 52-1)
Yes — Wrong No — Right

Brotherhood of Railroad Signalmen 1995 Senate Freshman Voting Record

			#1	#2	#3	#4	#5	#6	#7	#8	#9	#10	#11	#12	R	W	Percent "R"
MI	Abraham	R	W	W	W	W	W	W	W	W	W	W	W	W	0	12	0
MO	Ashcroft	R	W	W	W	W	W	W	W	W	W	W	W	W	0	12	0
OH	DeWine	R	W	W	W	W	W	W	W	W	W	W	W	W	0	12	0
TN	Frist	R	W	W	W	W	W	W	W	W	W	W	W	W	0	12	0
MN	Grams	R	W	W	W	W	W	W	W	W	W	W	W	W	0	12	0
OK	Inhofe	R	W	W	W	W	W	W	W	W	W	W	W	W	0	12	0
AZ	Kyl	R	W	W	W	W	W	W	W	W	W	W	W	W	0	12	0
PA	Santorum	R	W	W	W	W	W	W	W	W	R	W	W	W	1	11	8
ME	Snowe	R	W	W	W	W	W	W	W	W	R	R	R	W	3	9	25
WY	Thomas	R	W	W	W	W	W	W	W	W	W	W	W	W	0	12	0
TN	Thompson	R	W	W	W	W	W	W	W	W	R	W	W	W	1	11	8

Overall Freshmen Average Voting Percentage	4
Overall Democrat Average Voting Percentage	0
Overall Republican Average Voting Percentage	4

BRS Reaches Tentative National Agreement

BRS President Dan Pickett announced that a tentative national agreement had been reached with the National Carriers' Conference Committee. At a meeting held on May 22 in Rosemont, Illinois, the affected BRS General Chairmen voted 13 to 3 to send the tentative agreement to the membership for a ratification vote.

The tentative agreement calls for wage increases of 3.5 percent on December 1, 1995, 3.5 percent on July 1, 1997, and 3.5 percent on July 1, 1999. The agreement also calls for two compensation allowance payments: on July 1, 1996, a 3 percent payment based on an employee's 1995 compensation and on July 1, 1998, a 3.5 percent payment based on an employee's 1997 compensation. A $400.00 signing bonus would be paid upon ratification.

A nine cents per hour Cost-of-Living Adjustment (COLA) which became effective July 1, 1995 would be rolled into and become part of the basic daily rate effective November 30, 1995 and would be subject to subsequent general wage increases.

The agreement provides that effective December 31, 1999, a COLA would be rolled into and become part of the basic daily rates of pay. The exact amount would be determined in accordance with the existing COLA formula. The agreement also provides for a COLA on January 1, 2001 and at six month intervals thereafter with no offset for health insurance copayments.

Compensation allowances and COLA adjustments through July 1, 2000 would be subject to offsets to reflect the employee's contribution toward any increased cost of health care benefits.

There would be no changes in the existing level of employee and dependent benefits under the National Health and Welfare Plan.

Improvements in the National Dental Plan, which would become effective January 1, 1999, are as follows:

- Increase calendar year maximum benefit from $1,000 to $1,500;
- Increase lifetime orthodontic benefit from $750 to $1,000;
- Include sealants as a Type A dental service for dependent children under 14 years of age once in any calendar year;
- Increase Type B dental service covered expenses from 75 percent to 80 percent;
- Include implantology and related services as a covered expense under Type C dental service;
- Establish and maintain a toll-free 800 number.

Eligibility requirements for dental benefits would be amended effective July 1, 1996, requiring an employee to render compensated service on, or receive vacation pay for, an aggregate of at least seven calendar days during the applicable qualifying month.

The agreement calls for the establishment of a Managed Care Vision Program to become effective January 1, 1999, which would include benefits for examinations and purchase of lenses and frames.

The agreement provides that effective January 1, 2000, the Skill Differential allowance would be increased to $.85 per hour for all hours worked for all employees assigned to positions of Signalman/Mechanic and above. The agreement also would establish that effective January 1, 2000, employees who have or subsequently attain three years' experience in positions of Signalman/Mechanic shall be paid the skill allowance for all hours worked. Employees assigned to positions other than construction positions would be paid the skill differential for all hours worked, regardless of length of service.

In addition, a qualified 401(k) retirement plan would be established no later than January 1, 1997 for all employees covered by this agreement.

The agreement would also amend the February 7, 1965 Employee Protection Agreement so that effective July 1, 1996 all employees who are in active service and who have or attain ten or more years of employment relationship would become protected employees under the provisions of the February 7 Agreement.

The tentative agreement would not change any work rules for BRS members.

President Pickett said, "I would like to commend the negotiating committee for their efforts in helping achieve an agreement that will serve the BRS membership well. Not only were we successful in preventing any rule changes, but we were also able to remove any so-called customer service provisions.

"I believe that Signalmen should be paid a higher rate than other crafts and our ability to get the skill allowance for all Signalmen and above was a step in the right direction to achieve this goal.

"The railroads recognize the skill of Signalmen, and I am confident that if we continue our efforts of securing this goal we will someday be paid the wages we are worth."

Tentative Agreement Summary

The tentative agreement between the BRS and the railroads in national handling is subject to ratification and contains the following:

Signing Bonus:

- $400.00

General Wage Increases:

- 3.5 percent 12/95
- 3.5 percent 7/97
- 3.5 percent 7/99

Compensation Allowances:

- 3 percent 1995 Base Rate Plus Overtime 7/96*
- 3.5 percent 1997 Base Rate Plus Overtime 7/98*

*Health and Welfare Offsets apply

Health and Welfare Offsets:

- $ 76.68 July 1, 1996
- $333.81 July 1, 1998**

Cost-of-Living (COLA) Adjustments:

- $ .49 per hour roll-in December 31, 1999**

** This calculation is based on the minimum CPI that may be taken into account less a H&W offset estimate based on a seven percent annual increase in the payment rate for H&W.

- COLA July 1, 2000 less H&W offset
- COLA January 1, 2001 and thereafter at six month intervals, no offset for H&W

Dental Benefits:

- Benefit changes effective Jan. 1, 1999
- Maximum benefit increased from $1,000 to $1,500
- Orthodontic benefit increased from $750 to $1,000
- Add implants to list of covered treatments
- Add repair of implants to list of covered services (Type B)
- Increase Type B dental services from 75 percent to 80 percent
- Establish an 800 telephone number for plan inquiries

Vision Care Benefits:

- Effective January 1, 1999, establish a managed care vision plan that pays 100 percent of reasonable and customary charges

- Effective January 1, 1999, provide a vision care plan that pays scheduled benefits for outside of managed care networks.

Benefits Eligibility:

- Health and Welfare, Dental and Eye Care benefit eligibility requirements increased to seven days during the previous calendar month.

- The seven day eligibility requirement is waived for new employees or employees returning from furlough, provided all available days are worked.

Skill Allowance:

- Effective January 1, 2000, $.85 per hour skill allowance for all Signalmen and above.

- Beginning January 1, 2000, construction signalmen with three or more years of service shall receive a skill allowance. Signalmen or above other than construction Signalmen shall receive skill allowance regardless of length of service.

Supplemental Sickness:

- Upgrade benefits to retain ratio to earnings.

401(k) Plan:

- January 1, 1997, establish 401(k) retirement plan. Such plan need not be contributory with respect to the carrier.

- Existing Carrier contributory plans unaffected.

Protected Employees:

- Effective July 1, 1996, the February 7, 1965 Agreement (Employment Security) shall be amended and apply on all carriers subject to this agreement.

- All employees other than seasonal employees that have or attain 10 years of service will be retained in service at the normal rate of compensation as of the date they become protected adjusted for future wage increases.

Plain Talk About Handling Stress

You *need* stress in your life! Does that surprise you? Perhaps so, but it is quite true. Without stress, life would be dull and unexciting. Stress adds flavor, challenge and opportunity to life. Too much stress, however, can seriously affect your physical and mental well-being. A major challenge in this stress-filled world of today is to make the stress in your life work *for* you instead of against you.

Stress is with us all the time. It comes from mental or emotional activity and physical activity. It is unique and personal to each of us. So personal, in fact, that what may be relaxing to one person may be stressful to another. For example, if you are an executive who likes to keep busy all the time, "taking it easy" at the beach on a beautiful day may feel extremely frustrating, nonproductive and upsetting. You may be emotionally distressed from "doing nothing." Too much emotional stress can cause physical illness such as high blood pressure, ulcers or even heart disease; physical stress from work or exercise is not likely to cause such ailments. The truth is that physical exercise can help you to relax and to handle your mental or emotional stress.

Hans Selye, M.D., a recognized expert in the field, has defined stress as a "non-specific response of the body to a demand." The important issue is learning how our bodies respond to these demands. When stress becomes prolonged or particularly frustrating, it can become harmful — causing *distress* or "bad stress." Recognizing the early signs of distress and then doing something about them can make an important difference in the quality of your life, and may actually influence your survival.

Reacting to Stress

To use stress in a positive way and prevent it from becoming distress, you should become aware of your own reactions to stressful events. The body responds to stress by going through three stages: (1) alarm, (2) resistance, and (3) exhaustion.

Let's take the example of a typical commuter in rush-hour traffic. If a car suddenly pulls out in front of him, his initial alarm reaction may include fear of an accident, anger at the driver who committed the action, and general frustration. His body may respond in the alarm stage by releasing hormones into the bloodstream which cause his face to flush, perspiration to form, his stomach to have a sinking feeling, and his arms and legs to tighten. The next stage is resistance, in which the body repairs damage caused by the stress. If the stress of driving continues with repeated close calls or traffic jams, however, his body will not have time to make repairs. He may become so conditioned to expect potential problems when he drives that he tightens up at the beginning of each commuting day. Eventually, he may even develop a physical problem that is related to stress, such as migraine headaches, high blood pressure, backaches or insomnia. While it is impossible to live completely free of stress and distress, it is possible to prevent some distress as well as to minimize its impact when it can't be avoided.

Helping Yourself

When stress does occur, it is important to recognize and deal with it. Here are some suggestions for ways to handle stress. As you begin to understand more about how stress affects you as an individual, you will come up with your own ideas of helping to ease the tensions.

- **Try physical activity.** When you are nervous, angry or upset, release the pressure through exercise or physical activity. Running, walking, playing tennis or working in your garden are just some of the activities you might try. Physical exercise will relieve that "uptight" feeling, relax you and turn the frowns into smiles. Remember, your body and your mind work together.

- **Share your stress.** It helps to talk to someone about your concerns and worries. A friend, family member, teacher or counselor can help you see your problem in a different light. If you feel your problem is serious, you might seek professional help from a psychologist, psychiatrist, social worker, or mental health counselor. Knowing when to ask for help may avoid more serious problems later.

• **Know your limits.** If a problem is beyond your control and cannot be changed at the moment, don't fight the situation. Learn to accept what is — for now — until such time when you can change it.

• **Take care of yourself.** You are special. Get enough rest and eat well. If you are irritable and tense from lack of sleep or if you are not eating correctly, you will have less ability to deal with stressful situations. If stress repeatedly keeps you from sleeping, ask your doctor for help.

• **Make time for fun.** Schedule time for both work and recreation. Play can be just as important to your well-being as work; you need a break from your daily routine to just relax and have fun.

• **Be a participant.** One way to keep from getting bored, sad and lonely is to go where it's all happening. Sitting alone can make you feel frustrated. Instead of feeling sorry for yourself, get involved and become a participant. Offer your services in neighborhood or volunteer organizations. Help yourself by helping other people. Get involved in the world and the people around you, and you'll find they will be attracted to you. You will be on your way to making new friends and enjoying new activities.

• **Check off your tasks.** Trying to take care of everything at once can seem overwhelming, and, as a result, you may not accomplish anything. Instead, make a list of what tasks you have to do, then do one at a time, checking them off as they're completed. Give priority to the most important ones and do those first.

• **Must you always be right?** Do other people upset you — particularly when they don't do things your way? Try cooperation instead of confrontation; it's better than fighting and always being "right." A little give and take on both sides will reduce the strain and make you both feel more comfortable.

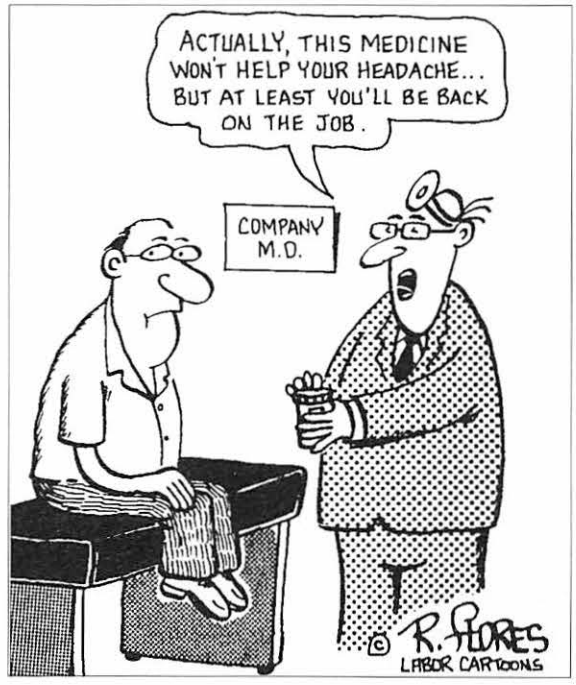
• **It's okay to cry.** A good cry can be a healthy way to bring relief to your anxiety, and it might even prevent a headache or other physical consequence. Take some deep breaths; they also release tension.

• **Create a quiet scene.** You can't always run away, but you can "dream the impossible dream." A quiet country scene painted mentally, or on canvas, can take you out of the turmoil of a stressful situation. Change the scene by reading a good book or playing beautiful music to create a sense of peace and tranquility.

• **Avoid self-medication.** Although you can use prescription or over-the-counter medications to relieve stress temporarily, they do not remove the conditions that caused the stress in the first place. Medications, in fact, may be habit-forming and also may reduce your efficiency, thus creating more stress than they take away. They should be taken only on the advice of your doctor.

The Art of Relaxation

The best strategy for avoiding stress is to learn how to relax. Unfortunately, many people try to relax at the same pace that they lead the rest of their lives. For a while, tune out your worries about time, productivity, and "doing right." You will find satisfaction in just *being*, without striving. Find activities that give you pleasure and that are good for your mental and physical well-being. Forget about always winning. Focus on relaxation, enjoyment and health. If the stress in your life seems insurmountable, you may find it beneficial to see a mental health counselor. *Be good to yourself.*



Fatigue's Role Scrutinized In Wake Of Train Wrecks

A series of devastating train wrecks in the first three months of 1996 has focused national attention on the role fatigue plays in railroad safety and what can be done to enhance engineers' alertness.

Responding to the accidents, Congress held a hearing March 5 focusing on human factors in railroad safety, and Sen. Frank Lautenberg (D-NJ) proposed a bill giving the Federal Railroad Administration the power to change the outdated Hours of Service Act.

However, many in railroad operations – including industry groups and union representatives – are wary of regulatory action that may lead to costly restrictions without resolving the fatigue problem.

A Rash of Accidents

In 1996, train wrecks have seemed like a regular feature of the nightly news. From January 1 to March 6, there were 14 serious railroad accidents that killed 19 people, injured 226 and caused damage estimated at over $62 million. The number of train fatalities in 1996 that did not occur at rail-highway crossings has already exceeded the totals for 1994 and 1995.

The most tragic accidents were a collision between an Amtrak train and a commuter train in Silver Springs, Maryland February 16 which killed three crew members and eight passengers, and a collision between two New Jersey Transit commuter trains on February 9 which killed two engineers and a passenger.

In coming months, various investigative agencies will issue formal reports on what caused the accidents, each of which has its own specific circumstances. News reports have raised issues as diverse as excessive speed, inadequate inspections and maintenance, rundown tracks, faulty signals, the flammability of trains and the lack of easy escape mechanisms.

However, experts in human physiology believe that the role fatigue plays in transportation accidents is too often overlooked, and that many accidents attributed to "human error" can be traced to periods of decreased alertness.

Given that it is harder to stay alert in the overnight and early morning hours, fatigue seems most likely to have played a role in the following accidents:

- In California, two brakemen were killed and an interstate was closed February 1 when a Burlington Northern-Santa Fe freight train carrying hazardous chemicals derailed at Cajon Pass at about 4:00 a.m.

- In the New Jersey accident, an engineer who was working overtime after working a split shift ran a red light. The 8:40 a.m. accident occurred after he had been at work for over 14 hours. Days later, New Jersey Transit eliminated split shifts.

- In Colorado, two crew members were killed when a Southern Pacific freight train derailed at Tennessee Pass and spilled thousands of gallons of sulfuric acid down a mountainside and across a highway just before dawn February 21.

- In Wisconsin, 1,700 people were evacuated from the town of Weyauwega when 37 cars of a Wisconsin Central Ltd. freight train carrying liquid propane derailed at daybreak March 4. One tank car exploded, destroying a farm feed mill.

Concerns About Fatigue

The testimony of FRA Administrator Jolene Molitoris at the hearing held by the House Transportation's Railway Subcommittee shows the agency is concerned about the fatigue issue. Nevertheless, her statements struck a decidedly cautious tone, and she offered no immediate steps the FRA would take to address fatigue beyond requiring rail companies to review crew management policies "in light of contemporary literature on shift work and cumulative fatigue" to see if performance can be improved. (The agency did issue a series of emergency orders on procedures relating to braking systems, train signals, communications and emergency exits.)

"Employees face real challenges in managing their work and rest due to the demands of railroad operations and the rigidity of some existing work rules," Molitoris said. "Accident investigations have suggested the need to address irregular work cycles, with particular attention to promoting the alertness of crew members assigned to rapidly rotating shifts that sometimes begin in the late evening."

Noting that employees can be called to work suddenly without having adequate sleep, Molitoris said, "Cumulative fatigue, or sleep deficit, may also be a problem, particularly where assignments are scheduled to maximize crew availability within the law...When [working conditions] are compared with human factors research findings on shift work, circadian rhythms, stress and fatigue, significant opportunities for improvements in the duty and rest

cycles of operating employees become evident."

In fairness to the FRA, it currently lacks the regulatory authority to change the HSA, and no one has come forward with a regulatory framework that tackles the fatigue issue head-on. This is because it is difficult, if not impossible, to craft a law that stops an engineer who has not had sufficient sleep from reporting to work.

Grueling Schedules

Attempts to address the issue of fatigue in railroads began with the Hours of Service Act, which Congress enacted in 1907 and the FRA is charged with enforcing. It includes these restrictions:

1. An engineer may spend up to 12 hours running a train in a given shift.
2. The 12 hours may be split into two pieces sandwiched around a break of at least four hours.
3. Engineers must get an off-duty period of 10 hours between 12-hour shifts, but may return to work with eight hours rest after a duty period of 11:59 or less.

Within this framework, engineers often work up to 70 hours per week, and because the pay can be lucrative, they may decline to take a day off for weeks at a time.

In addition, like hours of service regulations in other transportation industries, the railroad rules do not distinguish between different times of the day and their effect on quality of rest.

Fatigue experts point out that 10 hours of rest during the day is not as refreshing as 10 hours of rest at night because people have a harder time sleeping in the daytime.

Adding further stress to the railroad system is the fact that unlike shift workers at manufacturing plants or utilities, engineers generally have no regular schedules. Apart from the mandated rest period, they are essentially on call all the time, and they may be required to report for duty with as little as two hours notice.

Almost all freight rail operations use a "first-in, first-out" system to staff their trains. Once an engineer is eligible to work again, his name moves toward the top of the list until he is called. Train delays and engineers calling in sick add further unpredictability to an engineer's work schedule.

This system makes it difficult for an engineer to develop a consistent sleep/wake pattern, increasing the likelihood an engineer working the overnight hours will experience alertness problems.

"It's horrible. You're dead – like a zombie up there in the cab," one engineer recently told *Trains* magazine. "I stay awake because I'm scared to death."

"Experts in human physiology believe that the role fatigue plays in transportation accidents is too often overlooked, and that many accidents attributed to 'human error' can be traced to periods of decreased alertness."

While the rash of accidents has focused renewed attention on railway fatigue, the issue has been studied for years. In 1992, the Work/Rest Review Task Force, consisting of members of the Brotherhood of Locomotive Engineers, the Association of American Railroads and the United Transportation Union, was formed to investigate fatigue.

In 1994, the group concluded that the potential for accidents between midnight and 6:00 a.m. increases when a crew has been on duty for more than nine hours, when crew members have worked five consecutive shifts of 10 hours or more, and when a train employee has worked more than six consecutive shifts.

However, there is little consensus on how to address the problem.

Regulatory Approaches

One attempt to deal with the issue was Congress' passage of the Federal Railroad Safety Authorization Act in November 1994, which gave the FRA the authority to approve pilot projects that would operate outside the hours of service rules. The intent was that a pilot program would emerge that would lead to reform of the HSA and serve as a model for the industry.

However, because of the atmosphere of mistrust between railroads and unions – local unions often fear railroads would use the exemption to *increase* the hours train crews work – no pilot programs have been implemented yet under this Act.

In February, Southern Pacific petitioned the FRA for the first waiver under the Act, but the company is asking only that the agency not count travel time to work as time on-duty. The request, published in the *Federal Register*, does not constitute a significantly different approach to the fatigue issue.

Sen. Lautenberg's bill, meanwhile, would give the Secretary of the Department of Transportation the power to change the HSA. The amended requirements would have to be "no less stringent" than the current regulation, the bill states.

The rationale behind the bill is that change would occur more quickly if the FRA, and not just Congress, could rewrite the HSA. "The Federal Aviation Administration has the authority to regulate hours of service for pilots and the Office of Motor Carriers has the authority to regulate hours of service for commercial drivers," Lautenberg said.

(Cont. on next page)

...Fatigue's Role Scrutinized In Wake Of Train Wrecks

(Cont. from previous page)

"Why should the railroad industry be treated differently?"

In Canada, meanwhile, government officials at Transport Canada have supported a non-regulatory approach with a pilot program at three railroads that gives engineers more regular schedules, provides lifestyle training and permits controlled napping. Results of the pilot program are expected to be released shortly.

A Combative Hearing

The March 5 hearing was called by Representative Susan Molinari (R-NY), head of the railroad subcommittee. The testimony shows how much disagreement exists among the interested parties.

AAR President Erwin Harper testified that the railroad industry "has an excellent safety record" and said it was not yet known what role fatigue played in train safety. Harper pointed to the FRA statistics showing that the on-duty employee injury rate from 1981 through 1995 dropped 58 percent. He said that since 1980, the train accident rate has been reduced by 56 percent and that train accidents attributable to human error have fallen 41 percent since 1981.

Of the recent string of accidents, he said, "There has not been any suggestion, as far as the AAR is aware, that indicate systemic safety problems."

Harper was also critical of Lautenberg's bill. "Facts should justify any changes, and changing just to achieve symmetry with other statutes does not advance the cause of safety," he said. "AAR opposes any change in the statute until the underlying safety facts being developed by the Task Force, railroads and others are known."

In his testimony, Richard Johnson, Assistant General President of the Brotherhood of Railway Carmen Division of the Transportation Communications International Union, said the statistics Harper cited were inaccurate and accused the industry of "manipulating reporting requirements and practices in order to paint a picture of safety that is just not true."

"The carriers control the reporting of injuries, derailments, violations, defective equipment and their causes," Johnson said. "The recent derailments and collisions belie the carriers' statistical claims of increased safety...The railroads have bet that fatigued crews might still be able to operate trains safely. Now the railroads are losing these bets and we are all paying the price."

Ronald McLaughlin, President of the BLE, said there was little doubt that "accidents caused by human factors are related to the impact of cumulative fatigue caused by irregular work schedules and inadequate opportunity for sleep." He then accused railroad companies of "cutting employment to the bare bones at the expense of safety."

"We have lost 17 engineers in the last two years, four of whom died in February due to these accidents," McLaughlin said. "In some instances we feel that the disregard for rail safety by the railroad companies has sent a death warrant to our members – with faulty equipment, improper rest and improper or no inspections. We hold railroad management responsible for the loss of our engineers."

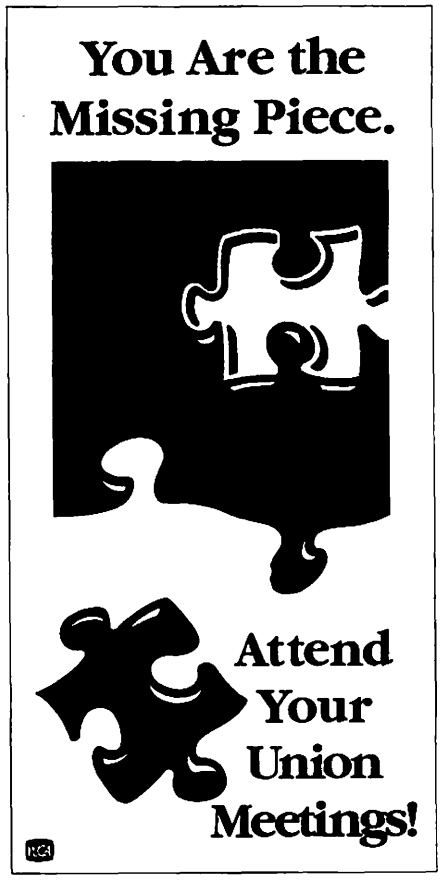
What Lies Ahead

Although the series of accidents in 1996 has raised the profile of the issue of fatigue in rail safety, it's unclear what the outcome will be. Congress, the FRA and railroad unions have expressed concerns about the subject for years, but the Hours of Service Act has not changed much since 1907.

William Keppen, Vice President of the BLE, believes accidents are likely to continue to occur because there are more trains running at higher speeds than ever before.

"Stress levels are so high that we will continue to have accidents," he said. "Suppose we have a situation similar to the Wisconsin accident where instead of a town being evacuated, 100 people are killed after an explosion. If there's an accident like that where fatigue was known to be a factor, you better believe that Congress will take fast action."

The preceding article was reprinted with permission from ShiftWork Alert. ShiftWork Alert is published monthly to help managers and workers at 24-hour operations improve health, safety and performance. For more information call: 1-800/878-0078.



BRS Secures Representation Of Mechanics On Wheeling & Lake Erie Railroad

Locomotive mechanics (machinists/locomotive electricians) on the Wheeling & Lake Erie Railroad have voted overwhelmingly for union representation by the Brotherhood of Railroad Signalmen.

In an election conducted by the National Mediation Board May 14, in which the mechanics could choose between the BRS and the United Transportation Union for representation, the final result was 20 votes for the BRS, 0 votes for the UTU and 3 abstentions.

In addition to the mechanics, the BRS also represents 77 Maintenance of Way workers and 15 Signal and Communications workers on the Wheeling & Lake Erie.

BRS President Dan Pickett said, "We are confident that we will be able to achieve a satisfactory agreement for the mechanical employees just as we have for the Maintenance of Way and Signal and Communication employees. It is encouraging to gain new members from the regional railroads such as the W&LE, and we welcome them to the BRS. This election proves once again that you do not have to be the largest union to provide the best representation."

The W&LE was formed in May 1990 when the company purchased approximately 450 miles of Norfolk Southern track in Ohio, West Virginia and Pennsylvania.

BRS Reaches Tentative Agreement With Conrail

United General Committee Chairman R.E. McKenzie announced that after months of negotiations a tentative agreement had been reached with Conrail. The tentative agreement will now be sent to the affected membership for a ratification vote.

The tentative agreement calls for wage increases of 3.5 percent on December 1, 1995, 3.5 percent on July 1, 1997, and 3.5 percent on July 1, 1999. The agreement also calls for two compensation allowance payments: on July 1, 1996, a 3 percent payment based on an employee's 1995 compensation and on July 1, 1998, a 3.5 percent payment based on an employee's 1997 compensation. A $400.00 signing bonus would be paid upon ratification.

The tentative agreement stipulates the same Cost-of-Living Adjustments, Health & Welfare benefits and implementation of a vision care program that are provided in the national tentative agreement.

President Dan Pickett said, "The Brotherhood of Railroad Signalmen was able to achieve what other organizations are still fighting about. We were able to negotiate an agreement with Conrail which was separate from national handling."

Employment Opportunities

American Systems Technologies, Inc. has positions available for construction crews. The crew work sessions consist of eight ten hour days with six days off. Daily per diem and travel allowances are paid. Benefits include a 401(k) retirement plan, vacation and holiday pay, health plan, profit sharing and cash bonus program.

An associate degree or formal education in Electronics is preferred along with previous construction crew experience which included reading engineering prints and circuit plans for the positions of **Signal Helpers and Assistant.**

The position of **Signalperson** requires successful completion or progress on Classroom Signal Training. An associate degree or formal education in Electronics is preferred. Must possess a valid Commercial Driver's License. Previous experience operating heavy equipment including trencher, backhoe and boom truck. Two years construction experience which included reading engineering prints and circuit plans and performing basic electronic functions.

There is an immediate opening for the position of **Signal Maintainer** in the **Garland, Texas** area.

Pre-employment and ongoing drug screening will be required. A valid driver's license is required. For immediate consideration, call Human Resources at the number below or send your confidential resume to:

American Systems Technologies, Inc.
421 South Nine Mound Road
Verona, WI 53593
Ph: 1-800-255-2196

ALL POSITIONS ARE BRS UNION SHOP

Railroad Retirement INFORMATION

Direct Deposit Program

Each month, almost 800,000 railroad retirement annuitants receive benefit payments from the U.S. Railroad Retirement Board. While many of these annuitants still receive checks by mail, almost 60 percent of them have their payments automatically deposited directly into their checking or savings accounts through the U.S. Treasury's direct deposit program. Direct deposit is also the normal method of payment for railroad unemployment and sickness insurance benefits.

Persons enrolled in the direct deposit program don't have to be concerned about the mail being late or a check being lost or stolen. They don't have to go to the bank or remail a benefit check to deposit it, or worry about a check sitting in the mailbox when they're away from home. Direct deposit payments begin to earn interest at once if the payments are deposited in an interest-bearing account, and benefit payments are available in a beneficiary's account the morning of the payment date. In addition, every beneficiary who enrolls in the direct deposit program assists the Railroad Retirement Board in bringing down administrative expenses.

The following questions and answers describe the direct deposit program, and how to enroll in it, as well as information on automatic enrollment for beneficiaries initially coming onto the Board's benefit rolls.

1. Will I be required to enroll in the direct deposit program when I apply for my railroad retirement annuity?

Direct deposit is the presumed method for paying retirement, survivor, and disability benefits and retirees should be prepared to furnish identifying bank account information with their annuity application. However, if you do not have an established bank account or insist on receiving your checks through the mail, or live in a foreign country, you will not be required to enroll in the direct deposit program.

2. I retired several years ago and have had my railroad retirement check mailed to my home each month without any problem. If my check is ever lost or stolen, won't it be replaced promptly?

In the event of a missing check, the Railroad Retirement Board notifies the U.S. Treasury Department and requests that a "stop payment" be placed against the check. If the check has not been cashed, the Treasury generally issues a replacement within 30 days. However, if the check was stolen and cashed, an investigation is usually required before a replacement check can be issued, and these investigations can take a considerable amount of time. In either case, a missing check can cause considerable inconvenience, if not hardship, for a beneficiary.

3. I have been receiving railroad retirement benefit checks, but would now like to be in the direct deposit program. How do I enroll?

You may simply telephone, write or visit the nearest Board field office to initiate direct deposit or to make direct deposit-related changes. You do not have to visit your financial institution or complete and mail any forms to the Board for processing. If you contact a Board field office, be sure to have a personal check, bank statement, or some other banking document available, as well as your railroad retirement claim number.

You may also enroll in the program through your financial institution by taking your next railroad retirement check to the bank or other financial institution where you have a checking or savings account.

In such a case, it is important that you have your railroad retirement check with you so that all the necessary information can be entered correctly on the authorization form. The financial institution will send the completed form to the Board for processing and will give you a copy for your own records.

Regardless of how you enroll, for verification purposes you will be issued a letter confirming enrollment or the type of change requested, the financial institution involved, the account number, and the date of the first payment affected by the change.

4. How long will it take for direct deposit to begin after I apply for it?

When you enroll in direct deposit at the same time you file your initial application for railroad retirement benefits, your first payment and succeeding payments will be deposited directly into your bank account.

If you are already on the Board's benefit rolls and you enroll in direct deposit through a Board field office during the first two weeks of the month, generally your next payment will be deposited in your checking or savings account. However, if you enroll through your financial institution, it will take about 30 to 60 days for direct deposit to begin.

5. How do railroad unemployment and sickness claimants participate in direct deposit?

Just as with retirees, unemployment and sickness benefit claimants are asked to provide information needed for direct deposit enrollment when they apply for benefits. Benefits are paid by check only if a claimant does not have a checking or savings account, or other special circumstances exist that would cause the claimant hardship if benefits were paid by direct deposit. Claimants already on the unemployment-sickness benefit rolls who were not enrolled in the direct deposit program can telephone their local Board field office to sign up for direct deposit.

6. Will I still receive mail from the Board at home?

Even though you're enrolled in direct deposit, any letters, notices or claim forms from the Board will still be sent to your home or mailing address. Therefore, direct deposit enrollees must keep the Board informed of their current home address. *If you have moved since you signed up for direct deposit, but did not notify the Railroad Retirement Board of your address change, you should do so as soon as possible.*

7. I'm already enrolled in the direct deposit program, but I'd like my payments deposited in a different bank. How can I have this done?

The simplest way is to once again contact your nearest Board field office and request your payments be sent to a different bank. But, do not close the old account until your payments have begun to be deposited in your new account.

8. If I plan to enroll in the direct deposit program but later change my mind, how can I have my checks sent to my home again?

Simply notify your nearest Board field office that you wish to cancel your enrollment in the direct deposit program. As with a change in banks, do not close your account until you begin receiving your checks at home.

9. What if I want to enroll in the direct deposit program but do not have a bank account?

If you don't have a bank account, you would have to open one in order to obtain the advantages of direct deposit. Some financial institutions may give you a free checking or savings account when you use direct deposit. Some may pay you interest on your account. Be sure to compare the services in your area.

10. Does direct deposit save money for the Railroad Retirement Board Trust Funds?

According to the Department of the Treasury, it currently costs 40 cents to issue a check payment and 2.4 cents to issue a direct deposit payment. Therefore, if all beneficiaries received their payments through direct deposit, the Board would eliminate approximately four million retirement and 195,000 unemployment and sickness insurance checks annually with a projected annual savings of about $1.5 million for the retirement program and $73,000 for the unemployment and sickness benefit program.

11. How can I get additional information on the direct deposit program?

You should contact the Railroad Retirement Board field office nearest you. To locate the nearest Board field office, you should check with your local union official, rail employer, post office, or Federal Information Center.

Operation Lifesaver

Linking Together For Safety

Ninth Annual Symposium - Scottsdale, Arizona, July 14-17

What is Operation Lifesaver?

Over the past 24 years, Operation Lifesaver has become a thriving grade crossing safety network of presenters, state coordinators, civic and safety leaders and coalition partners in 49 states. The strength of the organization comes from the energy created by the hard working volunteers acting together to eliminate injuries and fatalities at highway-rail intersections. During this year's Ninth Annual Symposium in Scottsdale, Operation Lifesaver will celebrate the partnership – forged project by project, state by state – that link Operation Lifesaver volunteers. By expanding the Operation Lifesaver circle, new opportunities for sharing the safety message will be created. That is why as the 25th anniversary of Operation Lifesaver approaches, participation by all sectors of every community is welcomed in order to achieve the highway-rail safety objective – saving lives.

Who Attends Operation Lifesaver's Symposium?

People from all segments of the highway-rail safety community and related industries participate in this one-of-a-kind event. Operation Lifesaver draws registrants from:

- Operation Lifesaver presenters and trainers
-State Coordinators from 49 states
-Operation Lifesaver leadership (PDC and Board)
-Class I Railroads
-Short line and regional railroads
-American Trucking Association
-Insurance Companies
-American Automobile Association
-Federal Highway and Railroad Administrations
-State and local law enforcement
-National Transportation Safety Board

If you are interested in attending or have additional questions, contact:

Operation Lifesaver Symposium Coordinator Ernie Oliphant at 602-263-0154

SKIN CANCER... WHAT YOU SHOULD KNOW

When performing activities outdoors, BRS members should keep in mind that they are also soaking up the sun's ultraviolet rays – the main cause of skin cancer.

Every year, more than 600,000 Americans learn they have skin cancer. For a person living to 65, the chances of contracting some form of skin cancer are 40 to 50 percent. Scary numbers. But the good news is, with early detection and treatment, skin cancer is almost always completely curable.

Skin cancer is not any one particular disease; there are actually several different types. Most common skin cancers grow slowly and seldom spread to surrounding tissue. But make no mistake, consulting a doctor and receiving treatment as soon as possible is extremely important. You have no way of knowing how serious the problem is, and though you may be afraid to find out, it is much more dangerous to wait.

Skin cancers do not all look the same – far from it. Symptoms can appear as a smooth, waxy lump, or, in other cases, a firm, red swelling. Sometimes it looks like a rough, rash-like inflammation. Sores that won't completely heal, even after a couple of weeks, may signal trouble as well. Knowing how your skin appears normally helps you recognize changes, no matter how minor or subtle. A regular skin self-exam keeps you on top of things (see box).

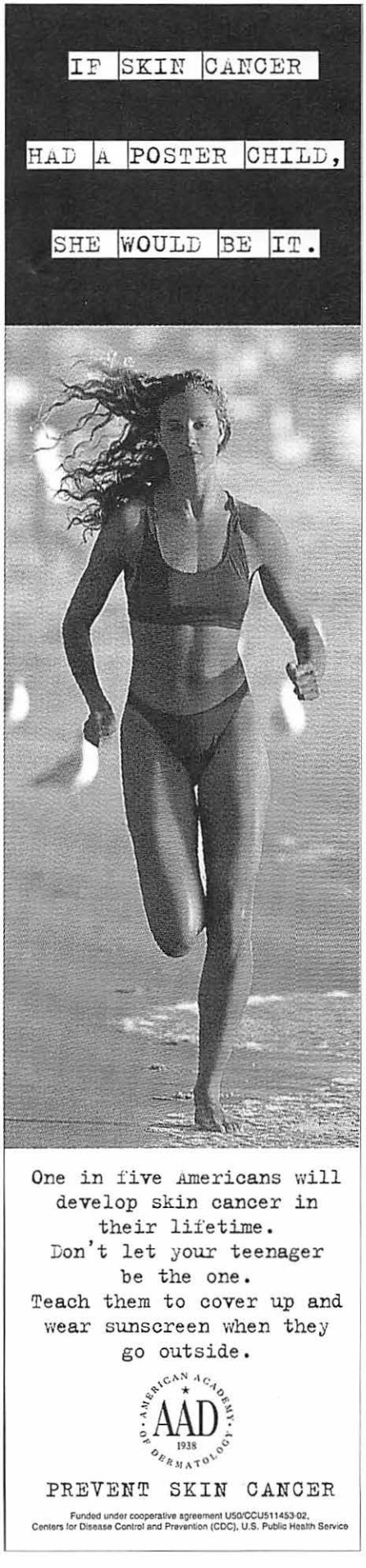
Anyone can develop skin cancer, but you can lower your risk. Try to stay out of direct sunlight, especially when it is hottest and brightest, usually between 11:00 a.m. and 3:00 p.m. If you cannot avoid being in direct sunlight, wear protective clothing – long sleeves and pants, shoes, and hats with brims wide enough to shade your face and neck. Applying sunscreen with a sun protection factor greater than 15 also helps shield you from harsh ultraviolet rays.

PERFORMING A SKIN SELF-EXAM

After you shower or bathe, take a few minutes to thoroughly examine yourself. What are you looking for? New or unusual changes in the skin – the size, texture or color of a mole, a newly formed lump, a sore that refuses to heal, etc. Use a full length or hand held mirror, and make sure there is plenty of light.

1. Check your back and front. Raise your arms and examine your sides.
2. Carefully inspect your palms, fingers and forearms.
3. Check your legs, both front and back, buttocks and genital area.
4. Examine your feet. Don't forget to spread and inspect your toes.
5. Closely examine your face and neck. Move your hair using a comb or blow dryer so you can get a good look at your scalp.

Notify your doctor if you find anything out of the ordinary. If it is skin cancer, early discovery usually means successful treatment.


IF SKIN CANCER
HAD A POSTER CHILD,
SHE WOULD BE IT.
One in five Americans will develop skin cancer in their lifetime.
Don't let your teenager be the one.
Teach them to cover up and wear sunscreen when they go outside.
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PREVENT SKIN CANCER
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Disabled Railroaders In Kentucky Receive Free Hunting & Fishing Privileges

After a five year struggle, disabled railroaders living in Kentucky have secured the right to receive free hunting and fishing licenses.

In order to receive the same benefits available to disabled individuals under Workers' Compensation, Social Security or Veteran Administration benefits, Kentucky law (KRS 150.170) will now cover railroad workers who have been rated totally and permanently disabled by the U.S. Railroad Retirement Board.

All railroad workers seeking free licenses should contact their local county clerk's office for an application form and send the completed form along with a copy of their total and permanent disability award notice to:

Attn: Division of Law Enforcement (KRS 150.170)
Dept. of Fish & Wildlife Resources
#1 Game Farm Road
Frankfort, KY 40601

BRS CALENDAR

July 27 - A joint meeting of Locals 8, 72, 55, and 103 will be held Saturday, July 27, at Park Place Hotel in Kansas City, Missouri. Local and national union representatives are scheduled to attend. The meeting will begin at 9:00 a.m. BRS members in the surrounding area are invited to attend. For more information, contact General Chairman E.J. Anousakes at (501) 945-9404.

PEB 228 Established For TCU

Under the terms of the Railway Labor Act, President Clinton established Presidential Emergency Board 228 on May 8 to investigate the dispute between the Transportation Communications International Union and the National Carriers' Conference Committee.

The three-member PEB has 30 days to issue its report to the President. The President's action delayed any strike action for at least 60 days because the Board has 30 days in which to investigate the dispute and prepare its report, followed by a 30-day cooling-off period during which neither labor nor management can change the status quo.

In this round of negotiations, TCU represents 34,000 carmen and clerks who work for the Burlington Northern-Santa Fe, Chicago & NorthWestern, Conrail, CSX Transportation, Kansas City Southern and Union Pacific.

USA TODAY is BAD NEWS for working families!

Why is Gannett Co. willing to lose hundreds of millions of dollars in a nearly year-long strike by more than 2,000 dedicated workers at the Detroit News?

First, because they're hellbent on replacing full-time workers who have decent pay and health care with workers with no security and no future. And second, because the millions they make on their cash cow, **USA TODAY,** finance their union busting. Don't let Gannett get away with using working families' dollars to gouge other working families.

Help our families.
Don't Buy USA TODAY
A message from the working men and women of the AFL-CIO

Arbitration Board Rules For Adoption Of Proposed UTU Agreement

On May 9, the United Transportation Union was advised by the arbitration board handling its contract dispute with the nation's major freight railroads that it has ruled for adoption of the tentative agreement reached between the parties on December 1, 1995.

The tentative agreement between the UTU and the National Carriers' Conference Committee failed to win ratification in a rank-and-file vote of affected UTU members.

Under the terms of the Railway Labor Act, the National Mediation Board proffered binding arbitration to the NCCC and the UTU and the parties agreed to that procedure.

In arbitration, the carriers sought additional work rule changes while the UTU asked for additional wages, compensation and benefits. The arbitration board rejected both proposals and imposed the 1995 proposal in its entirety.

Train Visibility Enhanced By FRA Rule

In a continued effort to promote safety by reducing highway-rail crossing accidents, Federal Railroad Administration administrator Jolene Molitoris announced regulations to enhance train visibility at highway-rail crossings.

The regulation specifies a triangular pattern of three lights made up of headlight and two alerting lights placed on the front of locomotives and sets minimum standards for these lights on locomotives that operate over public crossings at speeds greater than 20 mph. The nation's railroads must be in compliance by the end of 1997.

Nationwide, there are more than 270,000 highway-rail crossings. Nearly every 90 minutes someone in America is hit by a train, and more than 50 percent of car-train collisions occur when motorists fail to observe warning lights or safety gates.

It is hoped that the additional lights will further enable motorists, railroad employees and pedestrians to recognize approaching trains from a greater distance.

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Productivity Grows, But Workers Don't Share

Productivity growth increased substantially in the 1990s. For each hour that a worker spends on the job, more is being produced. The higher productivity has lowered costs and boosted company revenues, but workers have not shared in the gains.

Higher productivity means that workers should be experiencing a faster rise in real wages than in past decades. When productivity grows, employers, in general, have the ability to grant wage increases above the rate of inflation, and realize higher profits at the same time. But productivity growth in recent decades has not led to higher wages as it should. Instead, the buying power of workers has declined as employers continue to make every effort to hold down wages.

In contrast to the situation of workers, profits and executive salaries are increasing at a startling rate. The benefits of rising productivity have been captured by the richest Americans, who have allowed nothing to trickle down to the rest.

Productivity in the 90s

The pace of productivity growth has picked up in the 1990s compared with the decades of the 70s and 80s. Productivity growth in private business averaged 2.0 percent per year from 1989 through the first nine months of 1995, compared to 1.0 percent in the 1980s and 1.5 percent per year in the 1970s.

Manufacturing productivity growth showed an even greater improvement. Productivity in manufacturing averaged 3.1 percent per year in the 1990s, which was also higher than the 2.4 percent average annual growth in the 1980s and 2.1 percent in the 1970s.

Productivity made strong gains in 1995, even though the economy showed signs of slowing down. Productivity was 3.3 percent higher in the three-month period July-September 1995 compared to the same three months a year earlier. Manufacturing productivity rose even faster at 4.0 percent.

Slowdown and Recovery in Productivity Growth

Although much improved compared to the 1970s and 80s, productivity is growing more slowly than in the decades of the 1950s and 60s. The growth rate of 2.0 percent in private business in the 1990s compares to 3.4 percent in the 1950s and 2.9 percent in the 1960s.

In manufacturing, the slowdown appears to have been completely reversed. The average annual growth of 3.1 percent per year in the 1990s is higher than the 2.5 percent annual growth in the 1950s and 2.9 percent in the 1960s.

Productivity in Competing Industrial Nations

Historically, other major industrial nations have had much higher productivity growth than the U.S., but that has changed considerably in the 1990s. Japan and Europe still lag the U.S. in overall production capability, and they have had difficulty due to recession.

Manufacturing productivity in the U.S. grew an average yearly 3.0 percent from 1990-94 in the U.S. compared to 2.8 percent in France, Germany and Canada, while productivity grew at a 2.4 percent pace in Japan.

What is Productivity Growth?

Higher productivity means that more is produced by workers than in the past. Productivity gains are usually measured as the percentage rise in the amount of goods and services produced in an hour's work. Higher productivity is the result of many factors including better work organization, investment for the expansion and modernization of the workplace, better trained and educated workers, and more spending for research and development.

Public infrastructure development is essential for productivity growth. Public investment, consisting of transportation systems, sewer and water systems, schools, and other public investment, provides essential support facilities for production of goods and services.

Programs to train and involve workers enable the U.S. to realize its potential productivity growth. Comparisons with European countries show the U.S. well behind in developing training programs. Workplaces that involve workers in the setup and operation of training programs, and enable them to participate in the implementation of health and safety, technology, and other workplace activities, are more likely to be successful in implementing their plans.

Trade unions make a substantial contribution to productivity in carrying out their role in improving workers' living standards, job security and working conditions. The most comprehensive comparison of union versus nonunion workplaces in the U.S. was done by James Medoff of Harvard and Charles Brown of the University of Maryland. That study found union workplaces in manufacturing 22 percent more productive than nonunion plants.

A key ingredient to raise productivity is a healthy economy with rapid business expansion. The best productivity growth is achieved when unemployment is falling and consumer demand is strong, because that climate stimulates investment in

training, equipment, research and development, and other factors that lead to higher productivity.

The success of the American economy is due in large part to a strong base of consumer purchasing power. Higher U.S. wages enabled America to lead the world in the adoption of high volume production. The most rapid economic growth in U.S. history accompanied the rapid growth in trade unions after World War II which were effective in building broad based purchasing power.

The use of high interest rates and tight credit by the Federal Reserve Board to fight inflation tends to slow the growth of production and investment in the kinds of activities that raise productivity.

Sharing Productivity Gains

A company with improved productivity can make a number of choices that determine who benefits from the gain. If the company does not lower prices, and holds down wages, all of the productivity gain will appear in higher profits.

If the workers can bargain with management to raise wages by the amount of the productivity increase, in addition to the increase in prices, then wages and profits share equally, each rising by the amount of the productivity increase plus inflation. To the extent that companies lower prices, customers benefit from higher productivity as well.

A great deal of catching up is needed to restore wages to the buying power of the past, and to the prior share that workers received of the total returns. In any given year, wages must rise by the increase in prices plus the rise in productivity for workers to receive a fair share of that year's increased productivity. When wages lag behind this standard, profits, dividends and executive salaries rise much faster than wages.

There is nothing automatic to assure that the benefits of productivity are broadly and equitably distributed. Therefore, rising productivity presents the potential for trouble for the economy as well as the potential for progress.

This imbalance, between productivity and wages, played a role in the depression in 1929, and in a number of subsequent recessions. As analysts have pointed out, much of the slowdown in the economy in late 1995 can be traced to this problem. Consumer buying was sluggish in late 1995, in large part because higher productivity means firms can produce more, but buying power has not kept pace.

The Decline in the Buying Power of Wages

Companies generally have not allowed wages to rise enough to enable workers to share in the benefits of increased productivity. The evidence appears in the government data on wages and income distribution.

Real wages of production and nonsupervisory workers, while still rising, began to lag productivity growth in the mid 1960s. Real wages are wages adjusted to reflect rising prices, and thereby are a measure of buying power. The gap between real wages and productivity began to widen much more rapidly in the 1970s as real wages began to fall. From 1979 to 1994, real wages fell in 11 of those 15 years producing a total drop in real earnings of nine percent.

In the same period, productivity went up 20 percent, which should have enabled all American workers to enjoy a substantial boost in buying power.

In the first nine months of 1995, real wages showed no rise compared to the first nine months of 1994, because the three percent rise in wages was canceled out by a rise in prices of the same amount. Thus, wage earners did not receive any share of the 2.9 percent increase in productivity in the same period.

Declining real wages have affected production and nonsupervisory workers the most. But data on income show that the pay of college graduates has also begun to stagnate. College graduates received a real pay increase of only about 1.2 percent from 1989 to 1994, and preliminary figures show a slight drop in their buying power in 1995.

Profits and Executive Pay

In contrast to wages, profits have ballooned in recent years. *Business Week* magazine reported an "astonishing" 40 percent gain in corporate profits in 1994 for the 900 firms in their survey. That gain followed enormous increases of 19 percent in 1993 and 20 percent in 1992. The return on corporate investment rose to 15.9 percent in 1994, the highest in 45 years.

The lucrative gains continued in 1995, with profits in the *Business Week* survey up 20 percent in the first nine months compared to the same period in 1994.

Chief executives of corporations have enjoyed a skyrocketing increase in pay, in contrast to workers. The pay of chief executive officers increased 361 percent from 1980 to 1994, while workers' pay increased 75 percent. In 1980, CEO's pay was 42 times more than factory workers. By 1994, their pay was 109 times more.

Spurring Better Incomes

Public officials have given ample time to the discussion of means to increase productivity growth in recent years, but have paid

(Cont. on next page)

...Productivity Grows, But Workers Don't Share

(Cont. from previous page)
scant attention to assuring that the gains are fairly distributed. Vital to an improvement in workers' ability to share in productivity gains is a change in the nation's labor laws to enable more workers to join unions and benefit from collective bargaining.

Conclusion

Past emphasis on productivity growth while ignoring how the income will be distributed has been based on the idea that the increased income of the rich would trickle down to the rest of Americans. The "trickle down" theory must be discarded and income distribution must become the focus of attention in the discussion of productivity growth.

Policies that narrow the gap between the rich and the poor to enable all Americans to benefit from the nation's prosperity are essential to ensure the sustainability and success of the American economy.

Changes in MetraHealth Group Policy GA-23111

The Cooperating Railway Labor Organizations and The MetraHealth Insurance Company reached agreement on premium rates under Group Policy GA-23111 for the plan year beginning June 1, 1996. GA-23111 is available to furloughed and retired employees and their dependents no longer covered under the Railroad Employees National Health & Welfare Plan. It is also available to the Medicare eligible parents and parents-in-law of employees covered under the National Plan, organization employees covered under Group Policy GA-107300, or furloughed and retired employees covered under GA-23111.

All premium rates under GA-23111 will remain the same except for:

* Plan C, Incapacitated Child Only, which will increase from $75 to $80 monthly for each child enrolled.
* Plan D which will increase from $120 to $125 monthly for each person enrolled.

These increases are for coverage effective June 1996.

Also, there will be **no open enrollment period** this summer. Instead, there will be **one final open enrollment period** during the months of **November and December 1996 and January 1997.**

This will be the **last** open enrollment period held under GA-23111. More information about this final open enrollment period will be published later this year.

With the elimination of the open enrollment periods, it becomes even more important that all active employees know when coverage under the National Plan ends and when to enroll under GA-23111. Detailed information is provided on pages 12 through 19 of the GA-23111 booklet. All active employees and their dependents can enroll in GA-23111, without meeting MetraHealth's medical underwriting standards, when their coverage under the National Plan terminates.

After this final open enrollment period ends, former employees who do not enroll under GA-23111 when they first become eligible will not be able to enroll at any later time unless they meet MetraHealth's medical underwriting standards.

CHANGE OF STATUS FORM

Please advise us of any changes. If you move or if the mailing label on this issue of The Signalman's Journal fails to reflect a current address or receiving party, please fill out this form, tape or paste the mailing label in the space provided and mail the form to:

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BRS Policy On... Agency Fee Objections

Any employee subject to a union shop agreement who is not a member of the Brotherhood of Railroad Signalmen has the right through timely written objection to limit his agency fee payment to only those activities of the organization which are related to collective bargaining, contract administration and grievance handling. The types of expenditures by the Union to which an objector can lawfully refuse to contribute are:

(a) Expenditures for the election of candidates for public office, including contributions to any political party or political organization; staff time spent during working hours on behalf of any political party, political organization, or candidate for public office; expenditures on behalf of any facilities used for any political party, political organization or candidate for public office.
(b) Expenditures to recruit new union members.
(c) Expenditures on litigation that does not directly concern the objector, his bargaining unit, or the union as an institution.
(d) Expenditures on legislative lobbying, including time and expenses of full or part-time union staff, when such lobbying fails to supplement collective bargaining, strengthen the union as a bargaining representative, or bolster the union legal position in agreement negotiation or administration; expenses of unsalaried persons reimbursed by the union.
(e) That portion of the cost of *The Signalman's Journal* and other union publications which involves matters unrelated to the employment interests of the employee.
(f) Dues to the AFL-CIO, CLC, and affiliated organizations of either.
(g) Contributions to other organizations, including charitable and educational groups.

Effective January 1, 1989, the following policy was established:

1. Employees who are not members of the Brotherhood of Railroad Signalmen ("Union") and who pay an agency fee to the Union pursuant to a collectively bargained agency fee provision shall have the right to object to the expenditure of their fees on activities or projects other than those normally or reasonably undertaken by the Union to advance the employment-related interests of the employees it represents.

2. A notice explaining the rights of those paying agency fees giving them sufficient information to determine whether to object shall be mailed to them during October of each year.

3. Beginning in 1989, objections shall be made in writing to the Grand Lodge Secretary-Treasurer during the month of November.

4. The agency fees of employees who file objections shall be reduced for the twelve month period beginning January 1 next after their objection is received and ending December 31 of the following year. Prior to the beginning of this twelve month period, each employee who has lodged an objection will be provided with a full explanation of the basis for the reduced fee, and an explanation of how to challenge the Union's calculation of that reduced fee.

5. Any employee who has lodged an objection may challenge the calculation of the reduced fee by writing to the Grand Lodge Secretary-Treasurer no later than thirty (30) days following receipt of the fee explanation. Such challenges shall be promptly presented to an impartial arbitrator for resolution. The arbitrator shall be appointed by the American Arbitration Association pursuant to its Rule for Impartial Determination of Union Fees. The Union shall hold in escrow a portion of the fees being paid by those employees who have made a challenge in an amount sufficient to insure that the portion of the fee reasonably in dispute will not be expended. Once the arbitrator has ruled, the Union shall follow the arbitrator's decision in distributing the escrowed fees and adjusting the amount of the reduced fee. The arbitrator shall conduct the proceedings in a manner the arbitrator deems fair and just.

6. The Grand Lodge Secretary-Treasurer shall administer this policy in a manner that is completely fair to agency fee payers who wish to object. The Grand Lodge Secretary-Treasurer has authority to determine the amount of the reduced fee each year, to provide proper notice of this policy to agency fee payers, to waive procedural requirements when fairness requires, to informally resolve challenges to the Union's calculation, and to promulgate procedures for accommodating agency fee objections in accordance with applicable state or federal laws.

Obituaries

GLENN E. ADAMS–retired member of **LOCAL 35.** Brother Adams retired in 1988 after 42 years of service with Consolidated Rail Corporation. He was a Signal Maintainer at Cleveland, Ohio at the time of retirement.

ANGELO J. CALDERONE–retired member of **LOCAL 104.** Brother Calderone retired in 1989 after 41 years of service with the Southern Pacific Transportation Company. He was a Lead Signalman at Los Angeles, California at the time of retirement. Brother Calderone served the Brotherhood as a Trustee.

LEE R. CARTER–retired member of **LOCAL 208.** Brother Carter retired in 1991 after 22 years of service with CSX Transportation. He was a Signal Maintainer at Tullahoma, Tennessee at the time of retirement. Brother Carter served the Brotherhood as a Local President.

KEITH A. CUNNINGHAM–retired member of **LOCAL 135.** Brother Cunningham retired in 1991 after 44 years of service with CSX Transportation. He was a Signal Inspector at South Shore, Kentucky at the time of retirement.

HERMAN DeSMIDT–retired member of **LOCAL 130.** Brother DeSmidt retired in 1970 after 48 years of service with Chicago & North Western Transportation. He was a District Signal Foreman at Chicago, Illinois at the time of retirement. Brother DeSmidt served the Brotherhood as a Local President.

JOHN E. DOYLE–retired member of **LOCAL 134.** Brother Doyle retired in 1965 after 36 years of service with the Erie Lackawanna Railroad. He was an Assistant Signal Maintainer at Cuba, New York at the time of retirement.

ROMEO P. GERVAIS–retired member of **LOCAL 5.** Brother Gervais retired in 1965 after 26 years of service with the New York, New Haven & Hartford Railroad. He was a Signal Helper at Providence, Rhode Island at the time of retirement.

ROY L. GOINES–retired member of **LOCAL 157.** Brother Goines retired in 1979 after 38 years of service with the St. Louis Southwestern Railway. He was a Signal Maintainer at Athens, Texas at the time of retirement. Brother Goines served the Brotherhood as a General Chairman.

WILLIAM H. GOULD–retired member of **LOCAL 18.** Brother Gould retired in 1976 after 25 years of service with Penn Central and Amtrak. He was a Signal Maintainer at Philadelphia, Pennsylvania at the time of retirement.

HARRY J. KUERSTINER–retired member of **LOCAL 88.** Brother Kuerstiner retired in 1978 after 33 years of service with the Erie Lackawanna Railroad and Consolidated Rail Corporation. He was a Lead Signal Maintainer at Summit, New Jersey at the time of retirement.

WILLIAM A. LINDSEY–retired member of **LOCAL 94.** Brother Lindsey retired in 1974 after 38 years of service with the Baltimore & Ohio Railroad. He was a Signal Inspector at Flora, Illinois at the time of retirement. Brother Lindsey served the Brotherhood as a Local Chairman.

JOSEPH E. McMAHON–retired member of **LOCAL 84.** Brother McMahon retired in 1992 after 33 years of service with New Jersey Transit. He was a Signal Maintainer at Hoboken, New Jersey at the time of retirement.

EARL E. MYERS–retired member of **LOCAL 72.** Brother Myers retired in 1976 after 30 years of service with the Missouri Pacific Railroad. He was a Signal Maintainer at Eads, Colorado at the time of retirement.

A.N. PARSLEY–retired member of **LOCAL 129.** Brother Parsley retired in 1971 after 46 years of service with the Atchison, Topeka & Santa Fe and the St. louis-San Francisco Railroads.He was a Traveling Signal Maintainer at Columbus, Kansas at the time of retirement.

ROBERT H. PEISTER–retired member of **LOCAL 8.** Brother Peister retired in 1986 after 33 years of service with the Union Pacific Railroad. He was a Assistant Signal Foreman at North Platte, Nebraska at the time of retirement.

R.L. PIPPINGER–retired member of **LOCAL 119.** Brother Pippinger retired in 1975 after 46 years of service with the Colorado & Southern Railway and the

Chicago, Burlington & Quincy Railroad. He was a Signal Foreman at Denver, Colorado at the time of retirement. Brother Pippinger served the Brotherhood as a Local Chairman.

ROBERT S. ROCK–retired member of **LOCAL 105.** Brother Rock retired in 1995 after 39 years of service with the Pennsylvania Railroad, Penn Central Transportation and Consolidated Rail Corporation. He was a Signal Inspector at Reading, Pennsylvania at the time of retirement.

JAMES F. ROSEBERRY–retired member of **LOCAL 126.** Brother Roseberry retired in 1970 after 11 years of service with Southern Pacific. He was a Signal Maintainer at Tucson, Arizona at the time of retirement.

K.E. RUDLOFF–retired member of **LOCAL 121.** Brother Rudloff retired in 1967 after 44 years of service with the Atchison, Topeka & Santa Fe Railroad. He was a Signal Maintainer at Brownwood, Texas at the time of retirement.

SAM E. STONE–retired member of **LOCAL 129.** Brother Stone retired in 1977 after 38 years of service with the St. Louis-San Francisco Railway. He was a Signal Helper at Springfield, Missouri at the time of retirement.

LEE R. THOMSON–retired member of **LOCAL 173.** Brother Thomson retired in 1975 after 29 years of service with the Atchison, Topeka & Santa Fe Railway. He was a Signal Foreman at Stockton, California at the time of retirement.

G.E. VAN HANEGHAN–retired member of **LOCAL 93.** Brother Van Haneghan retired in 1979 after 38 years of service with the New York Central Railroad and Consolidated Rail Corporation. He was a Lead Signal Maintainer at Geneva, New York at the time of retirement.

GEORGE H. WILL–retired member of **LOCAL 88.** Brother Will retired in 1974 after 30 years of service with the Erie Lackawanna Railroad. He was a Signal Maintainer at Dover, New Jersey at the time of retirement.

The Fair Labor Standards Act

By: Vivien Hart

On June 25, 1938, President Franklin Roosevelt signed into law the Fair Labor Standards Act, putting in place the federal base lines for workers which prevail today.

As well as a minimum wage, 25 cents an hour set to rise to 40 cents by 1945, the Fair Labor Standards Act fixed a 40-hour work week, ordered time and a half overtime pay, ended the use of child labor and opened the way to regulating home work.

The minimum wage has been the most controversial and compromised part of the Act. Over 50 years later, Congress is now repeating history, debating a raise in the present minimum. Now, as in 1938, the minimum wage is a safety net for the lowest paid. But it lags, now as then, behind need and equity.

Similarly, some Congressional representatives today hope to eliminate overtime language by allowing workers to work any 80-hour stretch over a two-week period.

Early History

The 20th century campaign for a minimum wage, capped by the Fair Labor Standards Act, made an unlikely alliance. A minimum wage by law was first proposed in 1908, raising an instant outcry. Hostility from employers was predictable: they saw a threat to profits and to the control of the workplace.

For well-founded reasons back then, the American Federation of Labor (AFL) also opposed the measure. Organized labor viewed the 1908 proposal as a takeover bid by the government for the unions' right to bargain wages. Labor feared that any minimum would tend to become a maximum.

In addition, previous union experience with the federal government had been quite negative. It was the federal government that sent in troops to break strikes and its courts had issued injunctions against strike leaders.

AFL President Samuel Gompers used history to explain labor's position to a 1914 audience. Centuries ago in England, he warned, the government had fixed wage rates. How had they kept the workers in line? By "physical mutilation," and even "hanging on the gibbet!"

(Cont. on next page)

Labor History...

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State Laws Came First

The first minimum wage law came from the states when Massachusetts passed such legislation in 1912. Laws were soon on the books in 15 states and the District of Columbia.

All eventually won acceptance from business and labor when they were scaled down to cover only women and children.

However, that compromise didn't work. It tended to separate women and men in the work force and limited equal access to jobs. The courts ended that practice.

When the Roosevelt administration wrote the Fair Labor Standards Act, it had learned from the first round of laws to insist on fairness between individual workers, regardless of sex.

A wide-ranging act was finally won in the 1930s. Business learned during the depression that government could help. The AFL also had a last minute change of mind in 1938.

Pressure came from another labor group, the new Congress of Industrial Organizations (CIO), whose mass membership of poorer, less-skilled workers would benefit most from a 40-cent base line. And AFL craft members expected to (and did) bargain their own way up above this low minimum.

Federal Law Enacted

With strong leadership from President Roosevelt and Labor Secretary Frances Perkins, the Fair Labor Standards Act was won, but there were compromises.

Agricultural work was exempted (so were child actors – the Shirley Temple clause). Other workers were cut out of benefits by a side effect of the Constitution.

The Act used the power given Congress to regulate interstate commerce. Interstate commerce then meant heavy industry – mining and manufacturing. Employment such as local retailing, services, and domestic work were outside the protection of the Fair Labor Standards Act. Counting agriculture too, not only were many workers shut out, they were above all minority and female and those most in need of a 40-cent wage.

All the same, the Act was a crucial victory for labor, setting the principle of nationwide fair practice. As John L. Lewis of the CIO told Congress in 1938, this was "the beginning of an industrial bill of rights."

Now labor could fight to fully realize rights that were written into law. From 1938 to 1988, with strong labor support, the coverage of the Act has been pushed above 90 percent of the nonsupervisor work force.

Equal pay was added as a labor right in 1963. Currently, the Act supports the claim for a right for parental leave.

The almost 60-year history of the Fair Labor Standards Act is a record of progress. Only the minimum wage has continued as it began, its periodic raises too little, too late.

This time, organized labor is leading the battle in Congress. A rate back above the poverty line would be a fine anniversary gift for the Fair Labor Standards Act.

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Continuous Membership

The Brotherhood of Railroad Signalmen, in recognition of BRS members' contributions to the Signalman's craft and their dedication to the principle of trade unionism, has established a Continuous Service program to honor longtime BRS members. Continuous service lapel pins are presented to members every five years, beginning with their 25th year of membership.

The following is a list of the members who recently received Continuous Service pins in recognition of their years as BRS members:

65 Years

EC Melton	49

45 Years

PA Groves	64

40 Years

JH Cloyes	72
AJ Hart	70
JL Clarkson	63
JR Foster	188
HA Hoefs	227
MJ Smith	8
AF Blindauer	9
P Hager	188
WE McDaniel	2
WA Radziewicz	84

35 Years

PA Bishop	33
CE Grant	176
GL Jones	2
JR Lunsford	97
CD Gilchrist	188
PL Kennedy	64
C Reeves	107
FM Sailors	8
DW Caldwell	31
WD Moore	183
G Rammell	111

30 Years

DL Bennett	123
AD Carter	99
AJ Delauro	5
LL Lietz	227
GL Luker	111
FX Righter Jr	31
AJ Rush Jr	65
TW Whipple	155
DL Allender	109
JF Scheetz	2
GT Stone	72
RD Whitaker	94
RD Zerr	99
JP Basile	194
RJ Bolinger	119
TR Catherall	133
EH Goforth	116
JT Hollen	25
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JC Prnka	157
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25 Years

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RL Branham	42
GA Busse Jr	84
TJ Butler	179
DL Corzette	103
CW Deckard	55
EB Dodds	99
DK Flannell	55
GR Frazine Jr	123
JE Gowen	72
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JD Hill	104
KE Hinsley	16
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LD Jackson	110
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MV Lockhart	34
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AL Myers	49
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JL Reinhart	2
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PJ Robson	64
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P Sosa Jr	103
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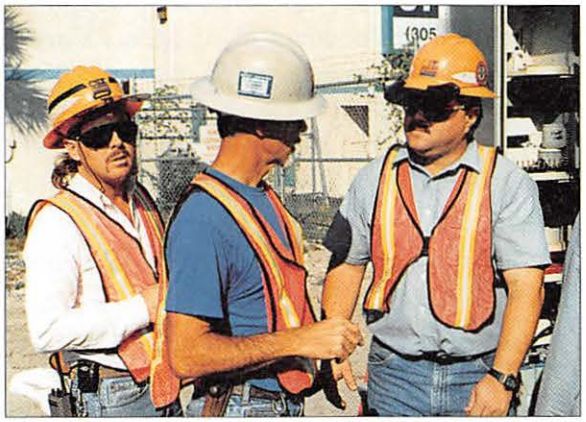
BRS Members At Work On Florida's Tri-Rail Project

Recently, *The Signalman's Journal* was able to visit with BRS members of CSX System Gang 7X01 while they worked on the installation of new signal equipment on the Tri-County Commuter Rail project in Fort Lauderdale, Florida.

Launched as a temporary alternative during the rebuilding of parallel Interstate 95, Tri-Rail has won a permanent role in Florida's transportation program. The state is supporting dramatic steps to increase capacity.

Due to the increased demand for commuter passenger service, CSX System Gang 7X01 is one of the gangs currently working in south Florida to double track the existing Tri-Rail line from West Palm Beach to Homestead.

CSX System Gang 7X01 consisted of Crew Foreman J.L. Henry, Lead Signalman H.A. Blackmon, Signalman C.L. Sprouse, and Signalman R.L. Hindman.



(l-r) Signalman R.L. Hindman, Lead Signalman H.A. Blackmon, and Signalman C.L. Sprouse discuss the day's work at 38th Avenue on the Tri-Rail Commuter Line.

"Phase I of the double tracking between Fort Lauderdale and Pompano Beach is scheduled to be finished by 1997," Crew Foreman Henry said, "and will consist of removing the old signal system and replacing it with a state-of-the-art microwave signal system. We are also in the process of installing motion detection systems for the street crossings."

Signalman R.L. Hindman flags a train through the 38th Avenue crossing after the installation of a motion detector.

The double track project will also include signal improvements along the entire 67-mile route. The project is slated to take eight years at an estimated cost of $300 million.

The state of Florida acquired the entire route from CSX Transportation in 1987. While the state owns the track, CSX and Amtrak have entered into agreements to run trains on it.

Because nearly 40 freight, intercity passenger and commuter trains use the route every weekday, many trains wind up in some of the route's 22 sidings waiting for others to pass. This type of usage coupled with annual ridership growth of 20 to 25 percent through 1994, clearly showed the need for a second track.

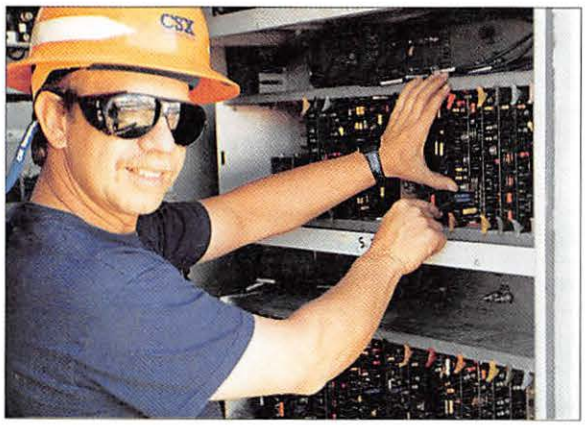
A view of the newly installed crossing gates and cantilever signals for 38th Avenue on the Tri-Rail Commuter Line.

Tri-Rail now operates 30 weekday trains, compared with 16 in early 1989, plus 20 Saturday and 10 Sunday trains, compared with none at first. The goal is 50 weekday trains.

A recent survey by Tri-Rail's Quality Improvement Division showed that commuter rail riders give their southeastern Florida train service better-than-passing grades.

The survey measured passenger reaction to 65 specific service features, ranging from on-time performance to employee helpfulness. Passengers rated 88 percent of the features above average.

To further increase the accessibility of the system, an $11.5 million, two-mile extension south to the Miami airport with a new intermodal facility is also in the planning stages.



Pompano Beach Signal Maintainer R.P. Kirk adjusts the setting of a PMD at Martin Luther King Road in North Fort Lauderdale.

The view of the newly installed crossing gates and cantilever at 38th Avenue on the Tri-Rail Commuter Line.

At Work On Florida's Tri-Rail Project

A Tri-County commuter rail train slows down as it approaches a crossing during the work limits of the double track project.

A US&S power switch machine awaits the final cutover at Martin Luther King Road.

CLOTH EMBLEM of BRS logo has white letters with red and black border, steam and diesel locomotives and green-over-red searchlight signal. Ideal for hats and jackets!

COASTERS are 3-inch diameter plastic with full-color BRS logo.

BRS MASTER NATIONAL AGREEMENT BOOK contains the basic provisions of national agreements negotiated with U.S. railroads and the BRS. The loose-leaf binder with 2-inch rings makes it easy to update or add additional materials, such as local agreements.

RS&I—HOURS OF SERVICE MANUAL contains vital information that every signalman should know about the federal regulations governing the Rules Standards and Instructions of Signal and Train Control Systems. The Hours of Service Act is included with an explanation and interpretation of the Act as prepared by the FRA. This manual is printed and distributed by the BRS for BRS members.

SIGNAL TRAINING COURSE as developed by Canadian National Ry., is used in signal training programs by many U.S. railroads. This modern premier training manual contains 4 volumes and 31 sections in one 3-inch binder. (copyrighted)

HISTORY OF THE BRS, *"THE FIRST 75"* as written by the late A. E. Lyon, who was BRS president 1934-1945. Contains the Brotherhood's history from its formation in 1901 through 1976. BRS members will enjoy reading about their Brotherhood's history and development.

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When Signalmen suffer a work-related injury or illness, BRS members or their families are encouraged to determine their rights and benefits under the Federal Employers' Liability Act before agreeing to any settlement with the railroad employer. The Brotherhood of Railroad Signalmen has designated the attorneys listed in this directory to serve as qualified counsel for BRS members in employee injury cases covered by FELA.

Attorneys are listed by state and are designated to serve BRS members living or working in the general region of their offices. Designation of FELA counsel is by authority of the BRS Executive Council only.

BRS members are encouraged to provide information regarding FELA cases, including criticism or commendations regarding the service of designated counsel, and information on injuries and settlements. This information, which will be used in the continuing evaluation of this program, should be sent to W. D. Pickett, President, Brotherhood of Railroad Signalmen, Box U, Mount Prospect, IL 60056-9048.

***Bold** print denotes additions or changes since the last issue of the Journal.*

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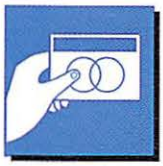

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